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*Counsel to the Liquidating Trustee*

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

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In re:	:	Chapter 11
	:	
CIRCUIT CITY STORES, INC., <u>et al.</u> ,	:	Case No. 08-35653 (KRH)
	:	
Debtors.	:	
-----	:	Jointly Administered
	x	

**ORDER SUSTAINING LIQUIDATING TRUST'S FORTY-NINTH OMNIBUS  
OBJECTION TO CLAIMS: FIXING OF CERTAIN UNLIQUIDATED CLAIMS  
(DEFERRED COMPENSATION PLAN)**

THIS MATTER having come before the Court<sup>1</sup> on the *Liquidating Trust's Forty-Ninth Omnibus Objection to Claims: Fixing of Certain Unliquidated Claims (Deferred Compensation Plan)* (the "Objection"), which requested, among other things, that the claims

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<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Objection.

specifically identified on **Exhibit C** attached to the Objection be fixed in the amounts stated therein for those reasons set forth in the Objection; and it appearing that due and proper notice and service of the Objection as set forth therein was good and sufficient and that no other further notice or service of the Objection need be given; and it further appearing that no response was timely filed or properly served by the Claimants being affected by this Order; and it appearing that the relief requested on the Objection is in the best interest of the Liquidating Trust, the Debtors' estates and creditors and other parties-in-interest; and after due deliberation thereon, good and sufficient cause exists for the granting of the relief as set forth herein,

IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT:

1. The Objection is SUSTAINED.
2. The Claims identified on **Exhibit A** as attached hereto and incorporated herein are forever fixed in the amount specified on **Exhibit A** for all purposes in these bankruptcy cases.
3. The Court will conduct a status conference on February 7, 2013 at 2:00 p.m. for all Claims identified on **Exhibit B** attached hereto.
4. The Liquidating Trust's rights to object to any claim including (without limitation) the Claims subject to the Objection, on any grounds that applicable law permits, are not waived and are expressly reserved.
5. The Liquidating Trust shall serve a copy of this Order on the claimants included on the exhibits to this Order on or before five (5) business days from the entry of this Order.
6. This Court shall retain jurisdiction to hear and determine all matters arising from or relating to this Order.

Dated: Richmond, Virginia  
\_\_\_\_\_, 2012

\_\_\_\_\_  
HONORABLE KEVIN R. HUENNEKENS  
UNITED STATES BANKRUPTCY JUDGE

WE ASK FOR THIS:

TAVENNER & BERAN, PLC

/s/ Lynn L. Tavenner

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*Counsel to the Circuit City Stores, Inc.  
Liquidating Trust*

**CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)**

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Lynn L. Tavenner  
Lynn L. Tavenner

In re Circuit City Stores, Inc., et al.

EXHIBIT A

Case No. 08-35653 (KRH)

FIXED CLAIMS

Claim Number	Name & Address	Date Filed	Docketed Claim Amount	Docketed Claim Class	Debtor(s)	Modified Claim Amount
4780	STRAUSS, DAVID ROBERT 5204 DAVENPORT PL ROSWELL, GA 30075	01/15/09	\$0.00	U	CIRCUIT CITY STORES, INC.	\$14,407.40
3119	SIEGER, MARC J Marc J Sieger Orchard Brands 30 Tozer Rd Beverly, MA 01915	01/09/09	\$0.00	U	CIRCUIT CITY STORES, INC.	\$41,108.48

In re Circuit City Stores, Inc., et al.

EXHIBIT B

Case No. 08-35653 (KRH)

## CONTINUED CLAIMS

<b>Claim Number</b>	<b>Name &amp; Address</b>	<b>Date Filed</b>	<b>Docketed Claim Amount</b>	<b>Docketed Claim Class</b>	<b>Debtor(s)</b>	<b>Proposed Modified Claim Amount</b>
3821	BESANKO, BRUCE H 191 FARMINGTON RD LONGMEADOW, MA 01106	01/16/09	\$0.00	U	CIRCUIT CITY STORES, INC.	\$35,207.82